

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 2-21-07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. WALTER MCNUTT, CHAIR	✓	
REP. RALPH HEINERT, VICE CHAIR	✓	
REP. RON ERICKSON, VICE CHAIR	✓	
REP. DUANE ANKNEY	✓	
REP. DEBBY BARRETT	✓	
REP. JILL COHENOUR	✓	
REP. SUE DICKENSON	✓	
REP. BETSY HANDS	✓	
REP. GORDON HENDRICK	✓	
REP. CAROL LAMBERT	✓	
REP. SCOTT MENDENHALL	✓	
REP. JP POMNICHOWSKI	✓	
REP. JOHN ROSS	✓	
REP. VERONICA SMALL-EASTMAN	✓	
REP. KENDALL VAN DYK	✓	
REP. CHAS VINCENT	✓	



HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 717** (first reading copy -
- white) **do pass**.

Signed: _____

Representative Walter McNutt, Chair

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required _____

WMP
2/22
400821SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 383** (first reading copy - white) do pass as amended.

Signed: _____

Walter McNutt
Representative Walter McNutt, Chair

And, that such amendments read:

1. Page 1, line 12 through line 13.

Strike: "Water" on line 12 through "exceeded" on line 13

Insert: "Other water quality standards do not apply"

2. Page 1, line 19.

Strike: "is of good enough"

Insert: "meets a narrative standard of sufficient"

- END -

Committee Vote:

Yes 9, No 7

Fiscal Note Required _____

WMP
2/22
400825SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 3

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 460** (first reading copy - white) do pass as amended.

Signed: _____

Walter McNutt
Representative Walter McNutt, Chair

And, that such amendments read:

1. Title, line 6 through line 7.

Strike: "AND" on line 6 through "EXTRAORDINARY" on line 7

2. Page 3, line 23.

Strike: "effluent limitations"

Insert: "water quality standards"

3. Page 7, line 2.

Strike: "untreated mined or processed"

4. Page 7, line 3.

Strike: "waste"

Strike: "would be acid-forming"

Insert: "related to the mining operation have a reasonable probability of causing violations of water quality standards upon contact with surface water or ground water"

5. Page 7, line 4.

Strike: "that minimizes impacts to surface water or ground water"

Insert: "or the management of those materials in a manner that complies with the requirements of Title 75, chapter 5."

6. Page 10, line 11.

Strike: "and extraordinary"

7. Page 10, line 13.

Following: "exists"

Insert: "or that there is a reasonable probability that a violation of water quality standards will occur"

Committee Vote:

Yes 12, No 4

Fiscal Note Required ____

mp
2/22
400826SC.hjd

8. Page 10, line 15.

Following: "bond"

Strike: ", not to exceed a period of 2 years,"

9. Page 10.

Following: line 28

Insert: "(c) An approved interim amended reclamation plan and interim bond must remain in effect until the earlier of:

(i) the date that a revised reclamation plan is approved pursuant to 82-4-337 and a permanent bond for the revised reclamation plan is submitted and accepted pursuant to this section; or

(ii) 2 years following the date of submission of a complete application pursuant to 82-4-337 to modify the reclamation plan provision or remedy the conditions that created the need to amend the reclamation plan unless the department approves or denies the complete application within 2 years of submission. The applicant may agree to an extension of this deadline.

(d) Except as provided in subsection (8), the process provided for in this subsection (7) is not subject to the provisions of Title 75, chapter 1.

(8) (a) In determining whether to require amendment of a reclamation plan under subsection (7)(a), the department shall prepare or require the permittee to prepare a written analysis of changes in the reclamation plan that may eliminate or mitigate to an acceptable level the environmental condition. The analysis must include an assessment of the effectiveness of the changes and any potential negative environmental impacts of the changes. The department shall prepare an environmental impact statement pursuant to Title 75, chapter 1, only if the department determines that the changes would not mitigate the condition to an acceptable level or may have potentially significant negative environmental impacts.

(b) If the department determines that preparation of an environmental impact statement is necessary, the permittee shall pay the department's costs pursuant to 75-1-205."

Renumber: subsequent subsections

10. Page 11, line 11.

Strike: "(9)"

Insert: "(10)"

11. Page 11, line 14.

Strike: "(9)(a)"

Insert: "(10)(a)"

12. Page 11, line 15.

Strike: "(9)(a)"

Insert: "(10)(a)"

13. Page 11, line 17.

Strike: "(9)"

Insert: "(10)"

14. Page 11, line 20.

Strike: "(9)(a)"

Insert: "(10)(a)"

- END -



HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 555** (first reading copy -
- white) **do pass**.

Signed: _____

Representative Walter McNutt, Chair

- END -

Committee Vote:

Yes 15, No 1

Fiscal Note Required ____

MP

222

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HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Joint Resolution 24** (first reading copy -- white) be adopted as amended.

Signed: _____

Walter McNutt
Representative Walter McNutt, Chair

And, that such amendments read:

1. Page 1, line 8 through line 20.

Strike: "WHEREAS" on line 8 through "; and" on line 20

2. Page 1, line 30 through page 2, line 2.

Strike: "WHEREAS" on page 1, line 30 through "; and" on page 2, line 2

- END -

Committee Vote:

Yes 9, No 7

Fiscal Note Required _____

WMP

2/22

400824SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 22, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Joint Resolution 31** (first reading copy -- white) **be adopted as amended.**

Signed: _____

Walter McNutt
Representative Walter McNutt, Chair

And, that such amendments read:

1. Page 1.

Strike: line 15 in its entirety

2. Page 1, line 21.

Strike: "elimination"

Insert: "reduction"

3. Page 1, line 22.

Strike: "elimination"

Insert: "reduction"

- END -

Committee Vote:

Yes 9, No 7

Fiscal Note Required _____

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john
2/22/07

COMMITTEE FILE COPY

TABLED BILL

The HOUSE NATURAL RESOURCES COMMITTEE TABLED HB 282, HB 408, HB 509, HB 560, HB 607, HB 708, HB 711, by motion, on Wednesday, February 21, 2007.

Nancy Kraft
(For the Committee)

jbn
(Chief Clerk of the House)

7:00 1/22
(Time) (Date)

February 22, 2007

Nancy Kraft, Secretary

Phone: 444-7353

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07

BILL NO 383

MOTION NO. 2

MOTION:

ON

Amendment

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR		✓	
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR		✓	
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN		✓	
REP. KENDALL VAN DYK		✓	
REP. CHAS VINCENT	✓		

9-7

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07

BILL NO HB 383

MOTION NO. 3

MOTION: Do Pass as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR		✓	
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR		✓	
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN		✓	
REP. KENDALL VAN DYK		✓	
REP. CHAS VINCENT	✓		

9-7

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HB 408 MOTION NO. 1
 MOTION: Do Pass

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR		✓	
REP. RALPH HEINERT, VICE CHAIR		✓	
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY		✓	
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS		✓	
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT	✓	✓	

7-9

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HB 460 MOTION NO. 3

MOTION: Do pass as amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR		✓	
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT	✓		

12-4

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07

BILL NO HB 509 MOTION NO. 4

MOTION: ~~Do pass as amended~~ TO TABLE

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR		✓	
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR		✓	
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN		✓	
REP. KENDALL VAN DYK		✓	
REP. CHAS VINCENT	✓		

9-17

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HB 560 MOTION NO. 1

MOTION: Do pass

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR		✓	
REP. RALPH HEINERT, VICE CHAIR		✓	
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY		✓	
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS		✓	
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT		✓	

7-9

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HJ 24 MOTION NO. 3
 MOTION: Do not Be adopted as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR		✓	
REP. RALPH HEINERT, VICE CHAIR		✓	
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS		✓	
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT	✓		

9-7

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HJ 31 MOTION NO. 3
 MOTION: To Table

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR		✓	
REP. RALPH HEINERT, VICE CHAIR		✓	
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY		✓	✓
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS		✓	
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT		✓	

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO. H531 MOTION NO. 4
 MOTION: Be Adopted as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR		✓	
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT	✓		
REP. JILL COHENOUR		✓	
REP. SUE DICKENSON		✓	
REP. BETSY HANDS		✓	
REP. GORDON HENDRICK	✓		
REP. CAROL LAMBERT	✓		
REP. SCOTT MENDENHALL	✓		
REP. JP POMNICHOWSKI		✓	
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN		✓	
REP. KENDALL VAN DYK		✓	
REP. CHAS VINCENT	✓		

9-7

HOUSE OF REPRESENTATIVES

Roll Call Vote

NATURAL RESOURCES COMMITTEE

DATE 2-21-07 BILL NO HB 282 MOTION NO. 3
 MOTION: Do pass as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR		✓	
REP. RALPH HEINERT, VICE CHAIR		✓	
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY		✓	
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS		✓	
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT		✓	

7-9

**AUTHORIZED
COMMITTEE PROXY**

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Vice Chair Ralph Heinert

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

[illegible][illegible]

Rep.

(Signature)

Date _____

2/21/07

**Montana House of Representatives
Visitors' Register**

NATURAL RESOURCES COMMITTEE

Date 2-21-07

HB 557; 583; 584;
Bill Nos. 717; 728 Sponsor(s) Reps. ⁵⁵⁷Heinert, ^{583/584}Gopak, ⁷¹⁷Stahl, ⁷²⁸McChesney

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Name	Representing	Bill No.	Support	Oppose	Info.
HAROLD Blatke	MACC	583		X	
Bob Spoklie		557	X		
Debbie Shea	Montana Mining	728	X		
Mike McGee	Beaverhead Co	583		X	
Richard Dunbar	Phillips co	583		X	
Troy Blunt	" "	583		X	
Mark Rehner	Richland Co	583		X	
Gary Fickel	Rosebud Co	583		X	
Dan McDowell	Powder River Co	583		X	
ALAN LACK	JTL Group	557 583	X	X	
Jerry Bowser	Helena Sand & Gravel	557 583	X	X	
Don Riege	Fallis County	583		X	
PAUL EGGERT	McIntosh Co	583		X	
Greg Krueger	Golt				
Michael W. Sehestedt	Missoula County	557		X	
Wanda Stoll	MT ASSESS PLANNERS	557		✓	
John Ostlund	Yellowstone County	583		X	
Mike Newton	Fisher Sand & Gravel	557	X		
Malcolm Long	JTL Group Inc	557 583	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors' Register**

NATURAL RESOURCES COMMITTEE

Date 2-21-07

HB 557; 583; 584;

Bill Nos. HB 717; 728 Sponsor(s) _____

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Name	Representing	Bill No.	Support	Oppose	Info.
Candace West	AG's Ofc.	717	X		
Carl H. Hovick	Kal Chan & M SA	557	X		
Bud Clunick	MT COAL	728	X		
Leo Berry	gwp	728	X		
Bruce Tutredt	Tutredt Family Pa	557	X		
Gail Abercrombie	MT Petroleum Assoc	728	X		
John Youngberg	MFBF	557	X		
Lynish Tutredt	SELF	557	X		
Jeff Chaffee	Southern MT Electric	728	X		
Kathy Brainer	OPI	584	X		
Janet Ellis	MT Audubon	557		X	
JAY WEINER	RWRCL	717	X		
M. S. KAKUK	ASSN MT CONTRACTORS	557	✓		
Don Olla	WETA	583 557 728		✓ 583	
William Duffield	MAACA Counties	583		X	
Tom Smith Jr	ANRL	584			X
Carmen Luna	USFWS	717	X		
Dave Galt	MPA	728	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

